

REMARKS

Claim 17 is pending. Claims 18 – 22 have been canceled. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claim 17 was rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,262, 470 to Shimotsuma *et al.* (hereafter: “Shimotsuma”). The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 17 recites the novel embodiment disclosed, for example, on pgs. 9 – 10 of a resin member 40 that is mainly composed of a conductive resin material for grounding and that has a marked part DP formed by laser radiation. The conductive resin material includes a non-conductive resin material selected among a group of polyamide, polyethylene, acrylonitrile butadiene styrene, polycarbonate and polybutylene terephthalate; at least 1% by weight of metal filler as a conductive additive to give the non-conductive resin material conducting properties, wherein the conductive additive is a metal filler selected among the group of stainless steel, nickel, chromium, zinc, copper, aluminum, gold, silver, magnesium, titanium, and alloy of two or more of such metals, and combinations of two or more of such metals, wherein the conductive resin material comprises at most 30% by weight of the conductive additive; and 0.01 to 3% by weight of carbon particles to give the marked part marking properties for laser radiation, wherein the carbon particles have a mean particle diameter of 10 to 100 nm, wherein the resin member is a cap cover to open and close an inlet opening of a fuel tank of a vehicle body, the inlet opening being formed in a filler neck connected to the fuel tank, the cap cover and the filler neck form a ground path for grounding.

Shimotsuma discloses a polyester resin composition that permits marking of fine lines and precise print with a high contrast with laser light. The resin includes carbon black/graphite

or carbon/steel fibers. However, Shimotsuma fails to disclose that the resin includes at least 1% by weight of metal filler as a conductive additive to give the non-conductive resin material conducting properties. Rather, Shimotsuma merely discloses that the polyester resin may include steel fibers to render thermal stabilization. That is, the steel fibers do not give conducting properties.

Further, Shimotsuma fails to disclose that the resin member is a cap cover to open and close the inlet opening being formed in a filler neck connected to the fuel tank, the cap cover and the filler neck form a ground path for grounding.

Therefore, because Shimotsuma fails to disclose that the resin includes at least 1% by weight of metal filler as a conductive additive to give the non-conductive resin material conducting properties and that the resin member is a cap cover to open and close the inlet opening being formed in a filler neck connected to the fuel tank, the cap cover and the filler neck form a ground path for grounding, the rejection of claim 17 under 35 U.S.C. 102(b) should be withdrawn.

Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Shimotsuma in view of U.S. Patent No. 5,275,776 to Hara *et al.* (hereafter: "Hara"). Claim 17 was amended to include the limitations of claim 21. Therefore, applicants will also discuss this rejection with respect to amended claim 17.

Hara discloses reinforcing polyester moldings for automobile parts such as exterior panels with stainless steel fibers. However, the stainless steel fibers are added to mechanically reinforce the exterior panels. (See Col. 4, Lines 44 – 52). That is, Hara fails to teach or suggest of a resin member that is mainly composed of a conductive resin material for grounding, wherein the resin member is a cap cover to open and close an inlet opening of a fuel tank of a vehicle

body, the inlet opening being formed in a filler neck connected to the fuel tank, the cap cover and the filler neck form a ground path for grounding.

Claim 22 was rejected under 35 U.S.C. 103(a) as being unpatentable over Shimotsuma in view of DE 10013000 to Springholtz *et al.* (hereafter: "Springholtz"). Claim 17 was amended to include the limitations of claim 22. Therefore, applicants will also discuss this rejection with respect to amended claim 17.

Springholtz discloses forming automobile parts including tank caps from conductive compositions including carbon black and metal filament. However, Springholtz fails to teach or suggest that the conductive resin material includes 0.01 to 3% by weight of carbon particles to give the marked part marking properties for laser radiation. Rather, Springholtz discloses that a sufficient amount of the carbon black and metal filament must be added for conducting properties. (See paragraph 0010). Assuming *arguendo* that a resin member containing a sufficient amount of the carbon particles was irradiated, a clear marked part would not be achieved.

In response to the applicants' previous arguments regarding the grounding limitation, the Examiner has asserted that the grounding limitation is an intended use and not an essential limitation of the claim. Applicants have further amended claim 17 to recite that the resin member is a cap cover to open and close an inlet opening of a fuel tank of a vehicle body, the inlet opening being formed in a filler neck connected to the fuel tank, the cap cover and the filler neck form a ground path for grounding. None of the cited references disclose that the resin member is a cap cover, which forms a ground path with the filler neck.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,


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